

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

ORDER

In Re:

FERREL L. AGARD

Debtor.

Case No.: 10-77338-reg
(Chapter 7)

Assigned to:
Hon. ROBERT E. GROSSMAN
Bankruptcy Judge

Select Portfolio Servicing, Inc. as servicer for U.S. Bank National Association, as Trustee for First Franklin Mortgage Loan Trust 2006-FF12, Mortgage Pass-Through Certificates, Series 2006-FF12, a secured creditor of Debtor, ("Secured Creditor") having moved this Court for an Order modifying the Automatic Stay in this proceeding by permitting said Secured Creditor to *continue with a foreclosure sale* ~~foreclose on the mortgage~~ of premises commonly known as 866 Leonard Dr, Westbury, NY 11590, ~~of which the Debtor is the owner of record~~, and

The motion having come to be heard before this Court and no opposition having been submitted by Robert L. Pryor, Esq., the Chapter 7 Trustee, *or* by the U.S. Trustee, *and the limited opposition* ~~or~~ by George Bassias, Esq., counsel for the Debtor, *having been overruled pursuant to the Memorandum Decision, entered by the Court on February 10, 2011 ("Memorandum Decision")*, and due deliberation having been had, now

Upon Reading and Filing of the Notice of Motion, the Application of Secured Creditor dated October 14, 2010, and proof of service upon all necessary parties, upon motion of the Office of Steven J. Baum, P.C., *and for the reasons stated in the Memorandum Decision*, it is hereby

ORDERED, that as to the Secured Creditor or its successors or assigns, the automatic stay is terminated, permitting it to *continue with a foreclosure sale* ~~foreclose~~ or otherwise pursue its ~~mortgage~~ remedies and rights ~~on~~ *as to* the premises commonly known as 866 Leonard Dr, Westbury, NY 11590; and it is further

ORDERED, that the Trustee retain any and all interest that said Trustee may have in any surplus monies that may be produced from a foreclosure sale of the property, and will be noticed of any such sale of the property and surplus money proceedings.

**Dated: Central Islip, New York
February 11, 2011**



A handwritten signature in black ink, appearing to read "Robert E. Grossman". The signature is fluid and cursive, written over a horizontal line.

**Robert E. Grossman
United States Bankruptcy Judge**